



AF/2179

**UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Attorney Docket No. AUS920010663US1

IN RE APPLICATION OF:

William Hsiao-Yu Ku

Serial No. 09/925,258

Filed: August 9, 2001

For: Entry Panel Processing
System

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Examiner: Sara M. Hanne

Art Unit: 2179

APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Brief is submitted in triplicate in support of the Appeal in
the above-identified application.

**CERTIFICATE OF MAILING
37 CFR 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First-Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date below:

September 14, 2005

Robert V. Wilder

Date

Signature

**APPEAL BRIEF
PAGE 1 OF 20**

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1

TABLE OF CONTENTS

REAL PARTY IN INTEREST	4
RELATED APPEALS AND INTERFERENCES	4
STATUS OF CLAIMS	4
STATUS OF AMENDMENTS	4
SUMMARY OF THE INVENTION	5
ISSUES	6
GROUPING OF THE CLAIMS	7
ARGUMENT	7
I. With regard to the rejection of claims 1, 2, 5, 11-12, 15 and 22-23 under 35 USC 102(a) as being anticipated by Trueblood, it is respectfully submitted that there is no disclosure, or teaching in Trueblood sufficient to anticipate the total combination of elements and relationships as presently set forth in the noted claims. 7	
II. With regard to the rejection of claims 3-4 and 13-14 under 35 USC 103(a) as being unpatentable over Trueblood in view of Wilks, it is submitted that there is no suggestion in either reference for the proposed combination and even the proposed combination fails to suggest several of the claimed features.. 10	
III. With regard to the rejection of claims 6-10 and 16-20 as being unpatentable under 35 USC 103(a) over Trueblood in view	

APPEAL BRIEF
PAGE 2 OF 20

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1

77	of Ohmori, it is submitted that even the hypothetical combination	
78	of Trueblood and Ohmori cannot render claims 6-10 and 16-20	
79	obvious under 35 USC 103(a) since there is no suggestion in	
80	either reference for the proposed combination and even the	
81	proposed combination fails to suggest several of the claimed	
82	features.	11
83		
84	IV. With regard to the rejection of claim 21 as being	
85	unpatentable under 35 USC 103(a) over Trueblood in view of	
86	Ohmori, it is submitted that even the hypothetical combination of	
87	Trueblood and Ohmori cannot render claim 21 obvious under 35 USC	
88	103(a) since there is no suggestion in either reference for the	
89	proposed combination and even the proposed combination fails to	
90	suggest several of the claimed features.	12
91		
92	CONCLUSION	13
93		
94	APPENDIX (Pending Claims)	14-20
95		

APPEAL BRIEF
PAGE 3 OF 20

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1

96 REAL PARTY IN INTEREST

97
98 The present application is assigned to International Business
99 Machines Corporation, the real party in interest.

100
101
102 RELATED APPEALS AND INTERFERENCES

103
104 There are no related Appeals or Interferences currently pending.

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106
107 STATUS OF THE CLAIMS

108
109 Claims 1-23 are pending and stand finally rejected by the
110 Examiner as noted in the Final Office Action mailed May 17, 2005.

111
112
113 STATUS OF AMENDMENTS

114
115 Prior to the Final Office Action (mailed 5/17/05), there was only
116 one substantive Office Action mailed 4/7/2004 and one substantive
117 Amendment mailed 7/7/2004. The Second and Final Office Action
118 cited Trueblood (U.S. Patent 5,675,755) for the first time and
119 rejected claims 1, 2, 5, 11-12, 15 and 22-23 under 35 USC 102(a)
120 as being anticipated by Trueblood. The Final Office Action also
121 rejected claims 3-4 and 13-14 under 35 USC 103(a) as being
122 unpatentable over Trueblood in view of Wilks (U.S. Patent

APPEAL BRIEF
PAGE 4 OF 20

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1

6,246,407), claims 6-10 and 16-20 as being unpatentable under 35 USC 103(a) over Trueblood in view of Ohmori et al (U.S. Patent 6,292,620), and claim 21 as being unpatentable under 35 USC 103(a) over Trueblood in view of Ohmori. The last entered substantive amendment was submitted 7/4/2004 which amended the claims to the text shown in the Appendix.

SUMMARY OF THE INVENTION

The present application discloses a method and implementing computer system for processing a display of an entry panel window on a display device (105, 221) of a user terminal (101), with the entry panel window being selectively caused to appear on the display device to enable input of information in order to effect a continuation of an application coupled to the user terminal from a remote server. The user is enabled to specify entry panel window parameters (Figure 3, 315) which are selectively applicable for defining predetermined characteristics (page 9, lines 8-34) associated with a display of the entry panel window. Upon detection of a receipt of a request at the user terminal from the application at the remote server to present an entry panel window on the display device (page 10, line 8 et seq., Figures 4 & 5), the system displays the entry panel window received from the remote server in accordance with the entry panel window parameters specified by the user. The user is then enabled to input information (page 2, lines 1-6) into the entry panel window (page 8, lines 1-4, Figure 4, 409, 411) in order to

APPEAL BRIEF
PAGE 5 OF 20

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1

effect a continuation of application.

The above methodology is set forth in pending claim 1, which recites:

"1. A method for processing a display of an entry panel window on a display device of a user terminal, said entry panel window being selectively caused to appear on said display device to enable input of information in order to effect a continuation of an application coupled to said user terminal from a remote server, said method comprising:

enabling a user to specify entry panel window parameters, said entry panel window parameters being selectively applicable for defining predetermined characteristics associated with a display of said entry panel window;

detecting a receipt of a request at said user terminal from said application at said remote server to present an entry panel window on said display device;

displaying said entry panel window received from said remote server in accordance with said entry panel window parameters specified by said user; and

enabling said input of information by said user into said entry panel window in order to effect said continuation of said application.

ISSUES

1. Is the Examiner's rejection of claims 1, 2, 5, 11-12, 15 and 22-23 under 35 USC 102(a) as being anticipated by Trueblood well

APPEAL BRIEF
PAGE 6 OF 20

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1

178 founded?

179

180 2. Is the Examiner's rejection of claims 3-4 and 13-14 under 35
181 USC 103(a) as being unpatentable over Trueblood in view of Wilks
182 well founded?

183

184 3. Is the Examiner's rejection of claims 6-10 and 16-20 as being
185 unpatentable under 35 USC 103(a) over Trueblood in view of Ohmori
186 well founded?

187

188 4. Is the Examiner's rejection of claim 21 as being unpatentable
189 under 35 USC 103(a) over Trueblood in view of Ohmori well
190 founded?

191

192

193

GROUPING OF THE CLAIMS

194

195 For purposes of this Appeal, claims 1-23 stand or fall together.

196

197

198

ARGUMENT

199

200 I. With regard to the rejection of claims 1, 2, 5, 11-12, 15 and
201 22-23 under 35 USC 102(a) as being anticipated by Trueblood, it
202 is respectfully submitted that there is no basis, disclosure, or
203 teaching in Trueblood sufficient to anticipate the total
204 combination of elements and relationships as presently set forth
205 in the noted claims as those claims are currently presented in

APPEAL BRIEF

PAGE 7 OF 20

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1

206 the Appendix.

207

208 All of the independent claims, i.e. claims 1, 11 and 23, are
209 included in the group of claims that was rejected under 35 USC
210 102(a) as being anticipated solely by the newly cited Trueblood
211 reference. Trueblood discloses a method and apparatus for
212 establishing an "always visible" class of windows (by attribute,
213 flag or other window property) in a computer-implemented
214 windowing environment. Window overlapping is prevented. The
215 "always on top" feature of Trueblood teaches against the present
216 invention since it does not allow an alert or "action required"
217 indication and makes it more difficult if not impossible for a
218 user to work a second window application while waiting for the
219 first window log-on screen to be generated. This is so because
220 the "always on top" window will block at least a portion of an
221 application screen in a second window and prevent a free use of
222 the second window application. With the present invention, the
223 user is enabled to fully work a second application while the log-
224 on window for another application is processing. The present
225 invention allows a full window presentation of the second
226 application and provides an alert (by audio or video or
227 intermittent flashing of the input window which requires user
228 input) on top of the working window when the user terminal
229 receives a request from the first application for user input.

230

231 With specific reference to the claim language, it is noted that
232 all of the independent claims 1, 11 and 23 include, *inter alia*,
233 **detecting receipt** of a request **from a server** to present an **entry**
234 **panel window** at a **user's display device**, displaying the entry
235 panel window in accordance with parameters specified by the user

APPEAL BRIEF

PAGE 8 OF 20

Serial Number 09/925,258

Attorney Docket No. AUS920010663US1

236 and enabling input of information by the user into the entry
237 panel window in order to effect a continuation of the
238 application. The term "entry panel window" refers to the log-in
239 panel or display window mentioned beginning on line 1 of page 2,
240 wherein a user is requested to input user identification and
241 possible a user password in order to have an accessed application
242 continue. It is submitted that Trueblood does not disclose or
243 teach the claimed processing methodology. Trueblood, instead,
244 discloses only a method for keeping a selected window on top of
245 all other windows which have not been designated as "always on
246 top" windows.

247

248 As alleged anticipation for the "detecting receipt" of a request
249 from a server to present an entry panel window, the Examiner
250 cites column 5, lines 45 et seq. of Trueblood. However, in the
251 cited passage, it is stated that requests are made from the user
252 terminal to a server for the performance of a specific operation.
253 The server then respond by performing the requested service or by
254 sending a reply to the user that includes the requested
255 information. This is just the opposite of what is claimed. As
256 claimed, the present invention detects a request for log-on
257 information from the server and then presents the log-on screen
258 in accordance with the user display preferences for the log-on
259 screen. Trueblood nowhere even mentions the log-on problems
260 addressed and solved by the present invention. Therefore, it is
261 submitted that there is no anticipation by Trueblood of the
262 "detecting" function as set forth in the independent claims 1, 11
263 or 23, or any of the remaining claims (2-10 and 12-22) which
264 ultimately depend from, **and include the limitations of**, any one
265 of the independent claims.

APPEAL BRIEF
PAGE 9 OF 20

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1

266
267 Still further, as alleged anticipation for the language "enabling
268 said input of information by said user into said entry panel
269 window in order to effect said continuation of said application",
270 column 5, lines 13-32 and column 16, line 20 et seq. of Trueblood
271 are cited. Column 5, lines 13-32 contain a very general
272 description of standard input device hardware and column 16, line
273 20 et seq. describe an **air traffic control application** of the
274 "always on top" feature of Trueblood. Neither document reference
275 discloses or teaches enabling said input of information by said
276 user into said entry panel window in order to effect said
277 continuation of said application as is clearly set forth in the
278 independent claims. Therefore, it is submitted that there is no
279 anticipation by Trueblood of, **after a detecting of a server**
280 **request for information**, to enable user input to an **entry panel**
281 **window in order to effect said continuation of said application**
282 as set forth in the independent claims 1, 11 or 23, or any of the
283 remaining claims (2-10 and 12-22) which ultimately depend from,
284 **and include the limitations of**, any one of the independent
285 claims. Thus it is submitted that claims 1, 2, 5, 11-12, 15 and
286 22-23 are allowable under 35 USC 102(a) over the Trueblood
287 reference.

288
289 **II.** With regard to the rejection of claims 3-4 and 13-14 under 35
290 USC 103(a) as being unpatentable over Trueblood in view of Wilks,
291 it is submitted that there is no suggestion in either reference
292 for the proposed combination and even the proposed combination
293 fails to suggest several of the claimed features. It is noted
294 that claims 3 and 13 add a limitation that entry panel window
295 intermittently appears, and claims 4 and 14 add a limitation that

APPEAL BRIEF
PAGE 10 OF 20

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1

the entry panel window appears at regular intervals. In the Final Office Action, it was alleged that the combination of Trueblood and Wilks renders the noted features obvious. As discussed above, Trueblood does not disclose "detecting" or "enabling" as set forth in the independent claims. Wilks also does not disclose the "detecting" or "enabling" functions as claimed. Thus, even a hypothetical combination of Trueblood and Wilks cannot render claims 3-4 and 13-14 obvious since such a combination would still lack a specific disclosure of, or even a suggestion for, detecting a server request for information and, in response thereto, enabling a user input to a log-in entry panel. Further, the reference in Wilks (column 4, line 65 - column 5, line 10) does not teach or suggest an "intermittent display" or a display "at regular intervals" as claimed by applicant, but rather only a means for a user to manipulate a pointer in order to change a translucent window into an in-focus window. Thus, it is submitted that claims 3-4 and 13-14 are allowable under 35 USC 103(a) over Trueblood in view of Wilks.

III. With regard to the rejection of claims 6-10 and 16-20 as being unpatentable under 35 USC 103(a) over Trueblood in view of Ohmori, it is submitted that even the hypothetical combination of Trueblood and Ohmori cannot render claims 6-10 and 16-20 obvious under 35 USC 103(a) since there is no suggestion in either reference for the proposed combination and even the proposed combination fails to suggest several of the claimed features. It is noted that Ohmori discloses an edited list creating apparatus, editing apparatus and editing method by which audio and video alerts are inserted into audio/video tracks. Ohmori was cited merely to allegedly show application of audio and video alert

**APPEAL BRIEF
PAGE 11 OF 20**

326 signals at selected points in an audio/video track. Ohmori is in
327 an entirely different field, the application is different, and
328 even a combination of Trueblood and Ohmori would still lack a
329 specific disclosure of, or even a suggestion for, detecting a
330 server request for information and, in response thereto, enabling
331 a user input to a log-in entry panel as discussed above. Thus, it
332 is submitted that claims 6-10 and 16-20 are allowable under 35
333 USC 103(a) over Trueblood in view of Ohmori.

334
335 **IV.** With regard to the rejection of claim 21 as being
336 unpatentable under 35 USC 103(a) over Trueblood in view of
337 Ohmori, it is submitted that even the hypothetical combination of
338 Trueblood and Ohmori cannot render claim 21 obvious under 35 USC
339 103(a) since there is no suggestion in either reference for the
340 proposed combination and even the proposed combination fails to
341 suggest several of the claimed features. It is noted that claim
342 21 adds a limitation that the user terminal is a wireless device.
343 Applicant is not claiming that wireless devices are novel but
344 rather only that the specific combination of elements and
345 relationships as set forth in 21 are not disclosed or suggested
346 by the cited references. Claim 21 depends from and includes all
347 of the limitations of independent claim 11 which has been
348 distinguished above from the Trueblood and Ohmori references.
349 Even a combination of Trueblood and Ohmori would still lack a
350 specific disclosure of, or even a suggestion for, detecting a
351 server request for information and, in response thereto, enabling
352 a user input to a log-in entry panel as discussed above. Thus, it
353 is submitted that claim 21 is allowable under 35 USC 103(a) over
354 Trueblood in view of Ohmori.

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APPEAL BRIEF
PAGE 12 OF 20

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1

356 CONCLUSION

357
358 For the reasons stated above, applicant urges the Board to
359 conclude that the rejections of claims 1, 2, 5, 11-12, 15 and 22-
360 23 under 35 USC 102(a) as being anticipated by Trueblood, and the
361 rejection of claims 3-4 and 13-14 under 35 USC 103(a) as being
362 unpatentable over Trueblood in view of Wilks, and the rejection
363 of claims 6-10 and 16-20 as being unpatentable under 35 USC
364 103(a) over Trueblood in view of Ohmori et al, and the rejection
365 of claim 21 as being unpatentable under 35 USC 103(a) over
366 Trueblood in view of Ohmori, are not well-founded and should be
367 reversed.

368
369 Please charge IBM Corporation Deposit Account No. 09-0447 in the
370 amount of \$500.00 for submission of a Brief in Support of Appeal.
371 No additional fee or extension of time is believed to be
372 required; however, in the event an additional fee or extension of
373 time is required, please charge the fee, as well as any other fee
374 necessary to further the prosecution of this application, to the
375 above-identified deposit account.

376
377 Respectfully submitted,
378

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380
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APPEAL BRIEF
PAGE 13 OF 20

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1

APPENDIX

1. A method for processing a display of an entry panel window on a display device of a user terminal, said entry panel window being selectively caused to appear on said display device to enable input of information in order to effect a continuation of an application coupled to said user terminal from a remote server, said method comprising:

enabling a user to specify entry panel window parameters, said entry panel window parameters being selectively applicable for defining predetermined characteristics associated with a display of said entry panel window;

detecting a receipt of a request at said user terminal from said application at said remote server to present an entry panel window on said display device;

displaying said entry panel window received from said remote server in accordance with said entry panel window parameters specified by said user; and

enabling said input of information by said user into said entry panel window in order to effect said continuation of said application.

2. The method as set forth in claim 1 wherein said entry panel window parameters include a specification that said entry panel

**APPEAL BRIEF
PAGE 14 OF 20**

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1

414 window is always displayed on top of other windows appearing on
415 said display device.

416

417 3. The method as set forth in claim 1 wherein said entry panel
418 window parameters include a specification that said entry panel
419 window intermittently appears on top of other windows appearing
420 on said display device.

421

422 4. The method as set forth in claim 3 wherein said entry panel
423 window parameters include a specification that said entry panel
424 window is caused to appear on top of other windows appearing on
425 said display device at regular intervals.

426

427 5. The method as set forth in claim 1 wherein said entry panel
428 window parameters include a specification of a perceptible alert
429 signal, said method further including generating said perceptible
430 alert signal in response to said detecting.

431

432 6. The method as set forth in claim 5 wherein said perceptible
433 alert signal is an audio alert signal designed to alert said user
434 to a detection of said entry panel window.

435

436 7. The method as set forth in claim 6 and further including
437 enabling a user to select said audio alert signal from a number
438 of different audio alert signals.

439

440 8. The method as set forth in claim 5 wherein said perceptible
441 alert signal is a video alert signal designed to alert said user

APPEAL BRIEF
PAGE 15 OF 20

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1

442 to a detection of said entry panel window.
443
444 9. The method as set forth in claim 8 and further including
445 enabling a user to select said video alert signal from a number
446 of different video alert signals.
447
448 10. The method as set forth in claim 5 and further including
449 enabling a user to select a combination of audio and video alert
450 signals wherein said combination of alert signals is designed to
451 alert said user to a detection of said entry panel window.
452
453 11. A user terminal including input means and a display device,
454 said user terminal being selectively operable to effect a display
455 of an entry panel window to enable input of information through
456 said input means in order to effect a continuation of an
457 application coupled to said user terminal from a remote server,
458 said user terminal further including:
459
460 means for enabling a user to specify entry panel window
461 parameters, said entry panel window parameters being selectively
462 applicable for defining predetermined characteristics associated
463 with a display of said entry panel window;
464
465 means for detecting a receipt of a request at said user terminal
466 from said application at said remote server to present an entry
467 panel window on said display device;
468
469 means for displaying said entry panel window received from said

APPEAL BRIEF
PAGE 16 OF 20

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1

470 remote server on said display device in accordance with said
471 entry panel window parameters specified by said user; and
472
473 means for enabling said input of information by said user into
474 said entry panel window in order to effect said continuation of
475 said application.

476
477 12. The user terminal as set forth in claim 11 wherein said entry
478 panel window parameters include a specification that said entry
479 panel window is always displayed on top of other windows
480 appearing on said display device.

481
482 13. The user terminal as set forth in claim 11 wherein said entry
483 panel window parameters include a specification that said entry
484 panel window intermittently appears on top of other windows
485 appearing on said display device.

486
487 14. The user terminal as set forth in claim 13 wherein said entry
488 panel window parameters include a specification that said entry
489 panel window is caused to appear on top of other windows
490 appearing on said display device at regular intervals.

491
492 15. The user terminal as set forth in claim 11 wherein said entry
493 panel window parameters include a specification of a perceptible
494 alert signal, said user terminal further including means for
495 generating said perceptible alert signal in response to said
496 detecting.

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APPEAL BRIEF
PAGE 17 OF 20

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1

498
499 16. The user terminal as set forth in claim 15 wherein said
500 perceptible alert signal is an audio alert signal designed to
501 alert said user to a detection of said entry panel window.
502
503 17. The user terminal as set forth in claim 16 and further
504 including means for enabling a user to select said audio alert
505 signal from a number of different audio alert signals.
506
507 18. The user terminal as set forth in claim 15 wherein said
508 perceptible alert signal is a video alert signal designed to
509 alert said user to a detection of said entry panel window.
510
511 19. The user terminal as set forth in claim 18 and further
512 including means for enabling a user to select said video alert
513 signal from a number of different video alert signals.
514
515 20. The user terminal as set forth in claim 15 and further
516 including means for enabling a user to select a combination of
517 audio and video alert signals wherein said combination of alert
518 signals is designed to alert said user to a detection of said
519 entry panel window.
520
521 21. The user terminal as set forth in claim 11 wherein said user
522 terminal is a wireless device.
523
524 22. The user terminal as set forth in claim 11 wherein said user
525 terminal comprises a personal computer.

APPEAL BRIEF
PAGE 18 OF 20

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1

526
527 23. A storage medium including machine readable coded indicia,
528 said storage medium being selectively coupled to a reading
529 device, said reading device being selectively coupled to
530 processing circuitry within a computer system, said reading
531 device being selectively operable to read said machine readable
532 coded indicia and provide program signals representative thereof,
533 said program signals being effective to enable for processing a
534 display of an entry panel window on a display device of a user
535 terminal, said entry panel window being selectively caused to
536 appear on said display device to enable input of information in
537 order to effect a continuation of an application coupled to said
538 user terminal from a remote server, said program signals being
539 further selectively operable for:
540
541 enabling a user to specify entry panel window parameters, said
542 entry panel window parameters being selectively applicable for
543 defining predetermined characteristics associated with a display
544 of said entry panel window;
545
546 detecting a receipt of a request at said user terminal from said
547 application at said remote server to present an entry panel
548 window on said display device;
549
550 displaying said entry panel window received from said remote
551 server in accordance with said entry panel window parameters
552 specified by said user; and
553

APPEAL BRIEF
PAGE 19 OF 20

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1

554 enabling said input of information by said user into said entry
555 panel window in order to effect said continuation of said
556 application.

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APPEAL BRIEF
PAGE 20 OF 20

Serial Number 09/925,258
Attorney Docket No. AUS920010663US1